

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 12, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-11034 - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 21, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-1/ds vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), and a Vacation (VAC-12255) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan as presented at the 05/25/06 Planning Commission meeting, the landscape plan date stamped 04/20/06, and the building elevations date stamped 03/14/06, except as amended by conditions herein.
4. There shall be no blasting on the site to construct the project, and the applicant agrees that the remainder of this site will be retained as passive open space to be deed to the City with no future development phases allowed.
5. The natural terrain on the west side of the site shall be retained or restored.
6. The application shall comply with the color palette prepared 11/30/05 as presented on 05/25/06.
7. Building height shall not exceed three stories or 44 feet, subject to approval of Variance VAR-11030.
8. The minimum distance between buildings shall be 10 feet. All perimeter and retaining walls shall meet Title 18, Title 19 and Lone Mountain West standards for walls; adjustments to the site plan and elevations shall be made if necessary to meet these standards, or any Title 19 Variance and/or Title 18 Waiver, should such be determined to be necessary based on future adjustments to the project, shall be submitted and approved, prior to the issuance of any permits.

9. All landscape areas shall comply with Section 4 of the Lone Mountain West Open Space Standards. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Trees shall be provided in the surface parking lot area in accordance with Title 19.12.
11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
14. Air conditioning units shall not be mounted on rooftops.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. Parking area lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Parking area lighting shall not create fugitive lighting on adjacent properties.
17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
18. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
22. Site development to comply with all applicable conditions of approval for ZON-11031, the Lone Mountain West Master Plan and all other applicable site-related actions.
23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a 30-unit attached single-family development on five acres located west of the intersection of Cheyenne Avenue and the Clark County 215 Beltway. Companion requests for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030) and a Vacation (VAC-12255) have been submitted concurrently.

EXECUTIVE SUMMARY

The applicant intends to build 30 attached single-family townhome-style units developed with a common parking access area and common facilities such as an outdoor pool and a clubhouse, on a site within the Plan area that is currently designated as L (Low Density Residential). The applicant intends to develop this project on a site that is severely topographically constrained, and develop this project within the allowed density for this area; however, since only approximately half of the site is developable, the applicant is seeking relief from the Plan limit of two stories on the site, in order to produce workable units as part of an integrated project. The applicant also requires relief from maximum building height limits. The request is appropriate as the existing relief on the site provides a constraint to development if limited to single-detached forms.

BACKGROUND INFORMATION

A) Related Actions

- 02/16/00 The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00 The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.

- 12/06/00 The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.
- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.
- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 2/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, ZON-11031, WVR-12368, VAR-11030 and VAC-12255 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #20/gl).

B) Pre-Application Meeting

- 11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

C) Neighborhood Meetings

02/02/05 A neighborhood meeting is not required for a Site Development Plan Review application; however, one was required for companion request Major Modification MOD-11027.

The applicant sponsored this meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped (park under design and development)
East: Office Building
West: Red Rock Canyon National Conservation Area

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
 L (Low Density Residential) Lone Mountain West Special Land Use
 Designation
 North: PCD (Planned Community Development)
 L (Low Density Residential) Lone Mountain West Special Land Use
 Designation
 South: PCD (Planned Community Development)
 P (Parks, Schools, Recreation, Open Space) Lone Mountain West
 Special Land Use Designation
 East: PCD (Planned Community Development)
 VC (Village Commercial) Lone Mountain West Special Land Use
 Designation
 West: (RC) Resource Conservation

D) Existing Zoning

Subject Property: U (Undeveloped) [PCD (Planned Community Development)
 North: U (Undeveloped) [PCD (Planned Community Development)
 South: C-V (Civic)
 East: PD (Planned Development)
 U (Undeveloped) [PCD (Planned Community Development) under
 Resolution of Intent to PD (Planned Development)
 West: Clark County

E) General Plan Compliance

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain West Master Development Plan area and is designated as L (Low Density Residential) special land use designation by that Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Lone Mountain West Master Development Plan	X	
Special Overlay District		X
Trails	X	
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Lone Mountain West Master Development Plan

The proposed development is not in compliance with the Lone Mountain West Master Development Plan, due to the proposed height and the type of use, being an attached single-family product. The applicant is attempting to address these issues through companion cases Major Modification (MOD-11027) and Variance (VAR-11030).

Trails

Although not required pursuant to the city's Trails Elements, there is an existing equestrian trail that bisects the subject site along the base of the mountain. It is the intent of the applicant to preserve this informal trail as it crosses the site along the northern edge of the portion of the site to be developed.

PROJECT DESCRIPTION

The proposed attached single-family units, which will be a maximum of 44 feet in height at any point on any given unit, will be clustered into two approximately parallel buildings, with a private street between the two that is used for parking access to each unit. The northern building will be higher than the southern building, as the project is designed to step up the slope from south to north. As a result, parking for each two-car garage within each unit of the north building will enter at the lowest of three levels, while the parking for each unit within the south building will enter on the middle of three floors. Due to the topography of the site, vehicular entry will be at the southeast corner of the site, which is its low point. This entry will be a gated private street which will provide one-way circulation through the site. The project is designed to flow with the topography of the site and will be designed with colors and materials that will allow the building to blend with the surrounding mountains.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to the Lone Mountain West Master Development Plan, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Density	5 du/ac	5 du/ac	Y
Max. Building Height	2 stories	3 stories	N
Mech. Equipment	Screened	Not indicated	N/A

The proposed development will comply with the residential density limitation, but does not comply with the applicable height limit. A Major Modification (MOD-11027) application and a Variance (VAR-5786) application have been filed to address the height issues. The Major Modification will allow a height of three stories within the L (Low Density Residential) special land use designation of the Lone Mountain West Plan, while the Variance will address a Title 19 35-foot height restriction on this form of development.

The applicant is proposing two trash enclosure areas; the main location is outside the entrance gates at the west end of the site. A second enclosure is located inside the gates at the east end of the site, but the applicant is proposing to move the bin located within this enclosure to the west side of the site on collection days.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that are applicable to the subject proposal.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	Units	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Single-family attached: two-bdrm apt.	30 units	1.75 spaces/unit	53 spaces	N/A		
Guest Parking		1/6 units	5 spaces	N/A		
Totals			58 spaces	N/A	76 spaces	1 space of total number provided (as a guest space)

The number of spaces provided exceeds that required by Code. One of the proposed floor plans has an internal stairwell that is partially located within the garage area. The design must ensure a clear and unobstructed parking area within the garage space that has a nine-foot width and an 18-foot length for each parking capsule.

A4) Landscape and Open Space Standards

The Lone Mountain West Master Plan Standard (Section 4.4) dictates that “neighborhood parks shall be built within residential communities to provide passive and active play areas...at 330 square feet per dwelling unit”. The proposed project would require 9,900 square feet of open space.

Although the applicant is providing no active area open space available to the community at large, approximately half of the overall site is passive open space in the form of mountainside area. Also, the applicant is providing a pool area and a clubhouse for the use of the owners of the proposed units.

The pool area exceeds 9,900 square feet; as a result, the application is in compliance with the Lone Mountain West requirement for passive and active play area.

The applicant is also required (Section 2.3.7) to contribute 0.0769 acres of open space and pocket parks per acre of the site, or 16,749 square feet of parks space. Again, the approximately two acres of the site that consists of mountainside area that will remain in a natural state is considered to fulfill the necessary open space requirement.

Additionally per Lone Mountain West Master Plan Standard 6.4, one 24-inch box tree per single-family front yard is required. The front yard shall be designed so that a minimum of 60% coverage is achieved within two years under normal growing conditions. This includes shrubs and vegetative ground covers. Plantings shall be a minimum of five-gallon size, adequately spaced to provide full screen after two years growth. Appropriate rock mulch, such as decomposed granite, shale, etc., shall be used in shrub beds, and shall be of earth tone (non-white). Landscaping shall be provided in yard areas. A condition of approval addresses this requirement.

There is a perimeter wall proposed along the east edge of the property. The existing wall in this location is located on the neighboring property. The applicant is proposing to construct a four-foot retaining wall behind the existing wall, as that wall is not structurally suited to act as a retaining wall. A 42" wrought iron fence will be installed on top of this retaining wall. There will then be a five-foot offset into the site, where a short retaining wall approximately 18 inches to two feet in height will be located against the parking area and the private street. This design appears to conform to the landscaping, buffering and height standards associated with these aspects of the development.

B) General Analysis and Discussion

- **Zoning**

The site is currently zoned U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation]. A concurrent application (ZON-11031), seeks to rezone the site PD (Planned Development). The proposed rezoning is consistent with the PCD (Planned Community Development) land use designation, and is consistent with the Lone Mountain West special land use designation of L (Low Density Residential). The proposed attached single-family residential development is allowed under this designation.

- **Site Plan**

The site plan is for a 30-lot attached single-family residential development. The plan calls for all units to be combined into two buildings, where the units are attached at the sides and there is common access to the units by a 24-foot wide private street which

separates the two buildings. Each unit has a small lot that contains the unit and a small patio area; typical size would be 21 feet wide and 55 feet in length, or 1,155 square feet, with an approximately 300 square-foot patio area.

To facilitate the development, there are several companion cases, including a Major Modification (MOD-11027) to allow three story attached single-family units within the L designation of the Plan area, a Rezoning (ZON-11031) to rezone the site to PD (Planned Development), a Waiver (WVR-12368) for private street width, a Variance (VAR-11030) to allow for a 38-foot building height, and a Vacation (VAC-12255) to eliminate patent easements on the site. These requests can be supported as they support the basic direction of the Plan to provide low-rise, low-density development on the subject site.

- **Waivers**

This project requires a Waiver of private drive width which is a concurrent application (WVR-12368). The Waiver for private drive width would allow 24-foot wide private streets where 37 feet is the minimum width required. This Waiver is being heard concurrently with this Site Development Plan Review. An administrative waiver of architectural themes is discussed below.

- **Landscape Plan**

Two of the proposed tree species (Photinia Tree and African Sumac) and two of the proposed shrub species (Lantana, Myoporum and Indian Hawthorne) are not listed on the permitted plant list; however, the Master Plan allows alternate plant materials on approval of the City of Las Vegas. Trees are provided around all surface parking lot areas and in landscaped common areas around the site.

- **Elevation**

Section 4.2 of the Lone Mountain West MDP requires that "...residential projects will be derived from Southwest Contemporary, Mission or Italian Renaissance". The architectural vernacular of the project does not fit directly with any of these styles; however, as the project is somewhat isolated from other development sites within the Plan area, and the design does appear to be compatible with the design of the existing office project on the adjacent site, which is the only abutting development parcel, it appears that waiver of this requirement is appropriate and can be supported.

- **Floor Plan**

The floor plans show three different models to choose from, based on whether the unit is in the upper or lower tier of units. These models are all 1,155 square-foot, two-bedroom units, with two car garages. All units have a private outdoor courtyard and one model also has a roof deck.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed scale of the development is consistent with the adjacent development, as the project is located behind an existing two-story office complex with mountainsides to the north and west and an equestrian trail head to the south, with no single-family or low density uses in the area; little conflict should arise between these uses.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The General Plan category of PCD (Planned Community Development) defers to the approved master development plan for all policy structure other than a limitation of eight units of residential development per gross acre of the overall site. The project as proposed does not conflict with the mandate.

The proposed development is inconsistent with the uses and allowable building heights allow under the existing L (Low Density Residential) Lone Mountain West special land use designation for the site; the application has submitted a Major Modification (MOD-11027) to allow the proposed attached single-family use ant to allow a building height of three stories. The proposed architectural theme of the project is also inconsistent with the stated development themes for the Plan area. Due to the relatively isolated nature of the site and the matching scale of the existing office development on the only adjacent developable parcel, approval is recommended.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

The site is located at the end of Buckskin Avenue, a 60-foot wide local street; the street segment is currently shared only with the abutting property to the east, but will be required to provide access to the park site to the south and federal lands to the west. Access and circulation will have a little impact on adjacent roadways.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

The stucco finishes as proposed are appropriate for this location and will blend with the mountain setting. The landscape materials as proposed are generally consistent with the landscape palette as stipulated in the Appendix to the Lone Mountain West Plan, although a few species are proposed which are not listed on the palette.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The proposed architectural theme of the project is inconsistent with the stated development themes for the Plan area, as it is not Italian Renaissance, Mission, or Southwest Contemporary in appearance. It is a relatively plain, very modern looking project with limited relationship to the stated themes; however, due to the isolated location of the site, and it's relative similarity to the style of the adjacent office structures, approval of this waiver to the architectural theme can be recommended.

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The development will be subject to inspections, and adequate measures will be taken to protect the public health, safety and general welfare.

PLANNING COMMISSION ACTION

New color plans were submitted and conditions 3, 4 and 5 were added at the Planning Commission meeting. The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 4

SENATE DISTRICT 9

NOTICES MAILED 340 by Planning Department

APPROVALS 0

PROTESTS 8